

REMARKS

Reconsideration of this application, in view of the foregoing amendments and the following remarks, is respectfully requested.

Claim Objections

Claims 3-8 and 15-24 are objected to because of certain informalities. These claims have been amended to remove informalities.

Double Patenting

Claims 1-4 and 10-14 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 8-10 of copending Application No. 10/085,562.

Applicants respectfully offer to submit a terminal disclaimer in compliance with 37 CFR 1.321(c) upon determination of allowability of these claims.

Claim Rejections - 35 USC § 103

Claims 1, 2 and 9-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art figs. 1-6 in view of Radi US Patent No. 6,594,327. Applicants respectfully traverse these rejections.

There are three basic criteria to establish a *prima facie* case of obviousness under 35 U.S.C. §103(a). First, there must be some suggestion or motivation in the cited references to modify or combine their teachings; second, there must be reasonable expectation of success; and third, the prior art references must teach or suggest all the claim limitations. *See* M.P.E.P §2142. As to claim 1, the combination of cited references does not teach or suggest all the claim limitations.

As to claim 1, the Examiner has cited XOR operation of the correlation unit 500 of Radi specifically, a parallel 8-bit XOR operation. Applicants respectfully point to the Examiner that in the cited section Radi actually describes extend-bit parallel comparison of bits from FSR 512 with the data read from the memory location 502. Each bit from FSR 512 is expended for parallel comparison with 8-bits. For example, as shown in figure 5, a bit with a value of 1 will be expended into a 8-bit data including all ones for a parallel XOR operation with the 8-bit data read from the memory. Thus, in fact the comparison is still a 8-bit comparison; however, the data is expanded from one bit to 8-bits for parallel comparison.

In contrast, the prior art described by the Applicants uses a digital sample and compares it with a single digital sample from a data stream to generate a correlation value and then pick another digital sample to compare it with yet another digital sample to generate another correlation value and so on. To apply the concept described in Radi to the prior art described by the Applicant, one will have to expand the digital sample value to match the plurality of sample values for a parallel XOR operation, which means that a single correlation result will be generated. This defeats the purpose of finding a boundary in the data stream. Further, the prior art does not teach a parallel comparison of digital samples with a single value because as described in figure 6 and in relation to figures 8 and 9, the correlation value will never be able to detect a boundary in the data stream. Therefore, the concepts of Radi cannot be applied to the described prior art and one skilled in the art will not combine these teachings because the combination does not produce the desired results. Accordingly, there is no suggestion or motivation in the cited references to modify or combine their teachings. Further, as described above, there cannot be a reasonable expectation of success in locating a boundary in the digital stream if a parallel XOR operation is performed in the prior art.

Claim 1 has been amended to further clarify the correlation operation by incorporating the limitation of claim 10. Applicants believe that amended claim 1 and those depend therefrom are now clearly and patentably distinguishable from the combination of prior art.

Applicant believes this application and the claims herein to be in a condition for allowance. Should the Examiner have further inquiry concerning these matters, please contact the below named attorney for Applicant.

Respectfully submitted,



Abdul Zindani
Attorney for Applicant
Reg. No. 46,091

Texas Instruments Incorporated
P.O. Box 655474, MS 3999
Dallas, TX 75265
(972) 917-5137